

KENNY MARCHANT
24TH DISTRICT, TEXAS

COMMITTEE ON
WAYS AND MEANS

SUBCOMMITTEE ON
SELECT REVENUE MEASURES

SUBCOMMITTEE ON OVERSIGHT

Congress of the United States
House of Representatives
Washington, DC 20515-4324

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June 24, 2014

The Honorable John Koskinen
Commissioner of Internal Revenue
Internal Revenue Service
1111 Constitution Ave., NW
Washington, DC 20224

Dear Commissioner Koskinen:

This letter is to follow-up with you regarding our discussion during your appearance before the Ways and Means Committee on June 20, 2014. Per your request, enclosed with this correspondence is a copy of the letter that I submitted for the record at the hearing from Arvel Hathcock of Southlake, Texas.

Additionally, I would appreciate you contacting the White House, Treasury Department, the Federal Elections Commission, and any other federal agency that Lois Lerner may have contacted, and request that they provide any emails involving her to you and the Ways and Means Committee.

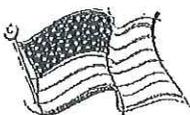
Thank you for your attention to this request. Should you have any questions regarding this correspondence, please feel free to contact me, or my Legislative Director, Scott Cunningham, at 202.225.6605 or scott.cunningham@mail.house.gov.

Sincerely,



Kenny Marchant
Member of Congress

Enclosure



ARVEL HATHCOCK
3716 N White Chapel Blvd
Southlake TX 76092
arvel@thehathcocks.com

June 18, 2014
Congressman Kenny Marchant
1110 Longworth HOB
Washington, DC 20515

Dear Congressman Marchant:

I am a constituent living in the district. I am writing today to provide you with my thoughts concerning the missing emails of IRS employee Lois Lerner. I am in the email software business and have been involved with electronic mail for 30 years. I founded and own Alt-N Technologies, Ltd which is a software company focused on the electronic mail space and is recognized as a leader in the electronic mail industry. My start was as a computer programmer (which I still am today) so I actually "write the code" that makes email work - all day, every day. I am therefore quite familiar with how it can and should work. Finally, I have been involved for many years in the creation and implementation of the various industry standards relating to electronic mail upon which all email software interoperates (whether it was software written by me or not).

At first, I found the claim that Ms. Lerner's emails were irretrievably lost as a result of the hard drive within her personal workstation PC to be inconceivable. Electronic mail is not stored on its user's personal PCs. In the mid-90's my colleagues in the IETF (Internet Engineering Task Force) standardized something called IMAP (Internet Message Access Protocol) which changed the paradigm from one of storing mail on workstation PC's to storing mail on a centralized mail server. Two of the core reasons for this were to prevent the loss of email due to workstation crashes and to centralize all email on a single server so it could be easily archived and backed-up. Microsoft's email server - which press reports say is what the IRS uses - supports IMAP and something called Exchange Server ActiveSync which operates in a similar way to IMAP in terms of storing mail on a centralized server. These technologies dominate the market and make email better and safer.

Since yesterday I have learned through press reports that IT decision makers at the IRS have supposedly enacted policies which circumvented the centralized storage of email by actually allowing and encouraging users to store mail on their personal workstation PCs and not on the server which contradicts nearly two decades of industry best practice. It never occurred to me that any responsible IT administrator would ever allow, enable, or encourage such a thing - especially in a government agency. Further, press reports have stated that the IRS IT department does not operate an email archiving system. This is incomprehensible to us in the industry. For some portions of the private sector it would be illegal but it is in every case irresponsible and dumb.

ARVEL HATHCOCK
3716 N White Chapel Blvd
Southlake, TX 76092

As a result of these rather convenient but bone-headed policies I must modify my position to say that it is at least theoretically possible that the IRS does not have the emails in question. However, that does not mean that the emails are irretrievable. These emails went somewhere and when an email crosses from one mail server to another there is a copy of it in both places. Also, mail servers maintain log files which will (at minimum) document the "meta-data" of every email transaction. Mail server log files record the SMTP (Simple Mail Transfer Protocol) data either in part or in whole which will show who sent the message, to whom they sent it, and when. More advanced mail systems (like the one I wrote) log the entire SMTP transaction and even the Subject: text of messages. It is standard IT practice to maintain these logs for diagnosing delivery issues and recording transactions. The recipients of any missing email will have similar records kept by their mail server. These logs won't have the actual message content but they will show who sent what to whom.

In conclusion, yesterday, I was steadfast and certain that this "the dog ate my homework" excuse was an outright lie but that was based on my assumption of basic competence and responsibility by IRS IT policy makers and administrators. I still find it unbelievable.

Sincerely,



Arvel Hathcock